

John Fitzgerald OFFICE OF
GENERAL COUNSEL
Concord, CA 94518

2018 AUG 30 AM 10:42

August 29, 2018

Federal Election Commission
Office of Complaints Examinations
And Legal Administration
Attn: Christal Dennis, Paralegal
1050 First Street NE
Washington, DC 20463

OFFICE OF
GENERAL COUNSEL
2018 SEP -4 AM 10:45

Response to MUR# 7463

Dear Sir or Madam,

My name is John Fitzgerald and I am seeking election to represent California's 11th Congressional District in the US House of Representatives in the 2018 election.

The Federal Election Campaign Act of 1971, as amended (52 U.S.C. §30101 et seq.), defines "candidate" as an individual who is seeking elected office *and* has received \$5,000 or more in aggregate contributions or spent \$5,000 or more in aggregate expenditures.

Please find attached a remittance from PayPal Inc, payable to "John Fitzgerald for Congress 2018" dated August 15, 2018, showing the total contributions to my campaign thorough that website (minus fees) amounting to \$889.20.

Since I have neither raised nor spent \$5,000 in my campaign for office, or given consent to another person to raise or spend any contributions on my behalf, I do not meet the definition of "candidate" as outlined in 52 U.S.C. §30101.

16044490794

John Fitzgerald

Concord, CA 94518

I am therefore not subject to the provisions of 52 U.S.C. §30101 et seq, including its requirements to register and report to the FEC, form a campaign committee or appoint a treasurer.

In a letter to the FEC General Counsel dated August 3rd, 2018, (reference MUR #7463) Matthew Graf of Rock Island IL, falsely accused me of gross financial misconduct, based on his baseless assumption that it was "inconceivable" that I had not raised nor spent \$5,000 for my campaign.

Mr Graf's assumption has no basis in fact and his slanderous complaint should be dismissed with prejudice. It represents an attack on free speech and the integrity of our electoral system. It is also an in kind contribution to my electoral opponent Mark DeSaulnier.

Thank you for your consideration.

John Fitzgerald
John Fitzgerald

In accordance with the Federal Election Campaign Act of 1971, I, John Fitzgerald, residing at _____, Concord, CA 94518, hereby swear and affirm that all contents of this statement are true to the best of my knowledge.

Date 8/29/2018

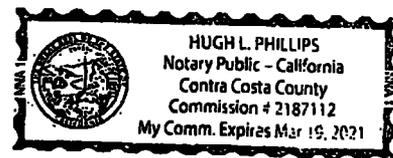
Respondent's signature

John Fitzgerald

Subscribed and sworn to me on (ENTER THE DATE OF WHEN THIS IS NOTARIZED)

Notary Public's signature

Hugh L. Phillips



100441007010

PO Box 45950
Omaha, NE 68145-0950
www.paypal.com



Address Service Requested



007251 R3N5T1A
JOHN FITZGERALD FOR CONGRESS 2018

CONCORD CA 94518



Org Bank :
Check # : 14486758
Trace # :

Make instant and online secure payments
with PayPal - the Internet's first and
largest online payment service.

Remittance Advice

DATE	TRANSACTION ID	MEMO	AMOUNT
		Mail Code: 1577480829	889.20
TOTAL			\$889.20

PLEASE DETACH BEFORE DEPOSITING CHECK

SHADED AREA MUST GRADUALLY CHANGE FROM BLUE AT TOP TO GREEN AT BOTTOM

PO Box 45950
Omaha, NE 68145-0950
www.paypal.com



56-382/412

CHECK NO: 14486758

DATE CONTROL NO.
08/15/2018

Pay Exactly ~~Eight Hundred Eighty Nine and 20/100~~ -US Dollars **

Amount

\$*****889.20

TO THE ORDER OF JOHN FITZGERALD FOR CONGRESS 2018
CONCORD CA 94518

VOID AFTER 180 DAYS

WELLS FARGO BANK, N.A.

Authorized Signer

Security Coat on Back

1504760060